

*Grimsley*

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/750,426
	Filing Date	December 28, 2000
	First Named Inventor	T. Grimsley
	Art Unit	2882
	Examiner	Chih Cheng G Kao
	Attorney Docket No.	D/A0140 XERZ 2 00541

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114

a.  Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.  
i.  Consider the arguments in the Appeal Brief or Reply Brief filed on \_\_\_\_\_  
ii.  Other Supplemental Amendment After Final, Filed on January 15, 2004.

b.  Enclosed  
i.  Preliminary Amendment  
ii.  Affidavit(s)/Declaration(s)      iii.  Information Disclosure Statement  
(IDS)      iv.  Other \_\_\_\_\_

2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b.  Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **three-month extension of time** to respond to the outstanding Office Action.  
c.  Other \_\_\_\_\_

3. Fees (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)

a.  The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments to Deposit Account No. 24-0037.  
i.  RCE fee required under 37 CFR 1.17(e)  
ii.  Extension of time fee (37 CFR 1.136 and 1.17)  
iii.  Other \_\_\_\_\_

b.  Check in the amount of \$770.00 (large entity) enclosed.  
c.  Check in the amount of \$950.00 (large entity) to cover the applicable extension of time fees.

04/01/2004 RMEBRAHT 00000087 09750426

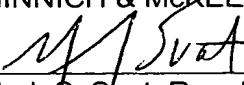
Respectfully submitted,

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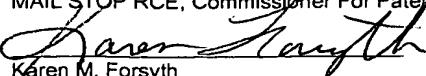
FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

March 30, 2004  
Date

  
Mark S. Svat, Reg. No. 34,261  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2518  
216/861-5582

"Express Mail" Mailing Label Number: EL 964453215 US  
Date of Deposit: March 30, 2004

I hereby certify that this **RCE Transmittal** and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: MAIL STOP RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above.

  
Karen M. Forsyth